

10-16-03

RCE/1700
PATENT



Practitioner's Docket No. 9999

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

OCT 22 2003

TC 1700

In re application of: **Ami El Agizy, et al.**

Application No.: **09/827,904**

Group No.: **1745**

Filed: **April 6, 2001**

Examiner: **Raymond Alejandro**

For: **Injection Molded Fuel Cell Endplate**

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

#10
18.86.32

REQUEST FOR CONTINUED EXAMINATION (RCE)
(37 C.F.R. § 1.114)

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. § 1.114, for the above identified application.

10/17/2003 HVUONG1 00000007 082453 09827904

01 FC:1801 770.00 DA

Continued Prosecution Request Fee \$ 770.00

CERTIFICATION UNDER 37 C.F.R. § 1.8(a) and 1.10
(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify, that on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to Commissioner for Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8 (a)

37 C.F.R. § 1.10*

☐ with sufficient postage as first class mail.

☒ as "Express Mail Post Office to Addressee"
Mailing Label No. EV191360255US (mandatory)

TRANSMISSION

☐ transmitted by facsimile to the Patent and Trademark Office:

Date: 10/15/03

Signature

Monica Y. Pettus

Monica Y. Pettus
(type or print name of person certifying)

TIME REQUEST IS BEING MADE

2. This request is being submitted (check appropriate item(s) below):

- i. ☒ Prior to abandonment of application
- ii. ☐ Payment of the issue fee
 - ☐ Prior to payment of issue fee
 - ☐ Issue fee has been paid but a petition under § 1.313 has been granted
- iii. ☐ Prior to a decision on appeal to the Board of Patent Appeals and Interferences
 - ☐ A notice is being separately sent to the Board of Patent Appeals & Interferences that this Request for Continued Examination is being filed.
- iv. ☐ Appeal to the U.S. Court of Appeals of the Federal Circuit under 35 U.S.C. 145 or ☐ Commencement of a civil action under 35 U.S.C.
 - ☐ Prior to the filing of such appeal or commencement of civil action
 - ☐ Such appeal or commencement of civil action has been terminated

ENCLOSURES

3. Enclosed herewith is/are:

- ☐ An information disclosure (37 C.F.R. § 1.98)
 - ☐ Form PTO-1449 (PTO/SB/08A and 08B)
- ☒ An amendment
- ☐ New arguments
- ☐ New evidence in support of patentability
- ☐ Other:

Continued Prosecution Request Fee \$ 770.00

FEE FOR REQUEST (37 C.F.R. § 1.17(e)).

4. This application is on behalf of:

- ☐ Small entity (and status is still as small entity) \$385.00
- ☒ Other than a small entity \$770.00

FEE FOR CLAIMS

5. The fee for claims 37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

| CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE | ADDIT. FEE | OR | RATE | ADDIT. FEE |
|--|---------------------------------------|------------------|---------|---------------|----|---------------------------|---------------|
| TOTAL 19 MINUS | 20 = | | x\$9 = | \$ | | x\$18 = | \$ 0 |
| INDEP. 3 MINUS | 3 = | | x\$43 = | \$ | | x\$86 = | \$ 0 |
| <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | + \$145 | \$ | | + \$290 = | \$ |
| TOTAL ADDIT. FEE | | | | \$ | OR | TOTAL ADDIT. FEE \$ | 0 |

(complete (a) or (b), as applicable)

(a) ☒ No additional fee is required.

OR

(b) ☐ Total additional fee required is \$ _____.

EXTENSION OF TIME

6. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

(a) ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for the total number of months checked below:

| Extension for (months) | Fee for other than small entity | Fee for small entity |
|--|------------------------------------|-------------------------|
| <input type="checkbox"/> one month | \$ 110.00 | \$ 55.00 |
| <input checked="" type="checkbox"/> two months | \$ 420.00 | \$ 210.00 |
| <input type="checkbox"/> three months | \$ 950.00 | \$ 475.00 |
| <input type="checkbox"/> four months | \$1,480.00 | \$ 740.00 |

Fee: \$ 420.00

If an additional extension of time is required, please consider this a petition therefore.

(check and complete the next item, if applicable)

☐ An extension of time for _____ months has already been secured, and the fee paid therefore of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

(b) ☐ Applicant believes that no extension of time is required. However, this is a conditional petition and authorization to pay the necessary fees to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE(S) DUE

7. The total fee(s) due is/are:

| | |
|---|--------------------|
| Continued Prosecution Fee (§ 1.17(e)) | \$ <u>770.00</u> |
| Fee(s) for additional claims (if any) (§ 1.16(b)-(d)) | \$ _____ |
| Extension of time fee (if any) (§ 1.17(a)(1)-(4)) | \$ <u>420.00</u> |
| Total Fee(s) Due | \$ <u>1,190.00</u> |

PAYMENT OF FEE(S) DUE

8. Please pay the fee(s) for this continued examination application as follows:

☐ Check is attached for the sum of \$ _____

X Charge Account 08-2453 the sum of \$ 1,190.00

☐ Charge Credit Card the sum of \$ _____

(Credit Card Payment Form (PTO-2038 attached))

Please charge any required additional fee(s) for § 1.17(e), § 1.16(b)-(d), and/or § 1.17(a)(1)-(4) to

X Account 08-2453

☐ Credit Card (Credit Card Payment Form (PTO-2038) attached).

INVENTORSHIP

9. This application is amended names as inventors.

X the same inventors as previously designated for the claims.

☐ fewer than the inventors previously designated and a statement accompanies this request for the deletion of the name or names of the person or persons who are not inventors of the invention now being claimed.

☐ a person not named previously as an inventor and a petition under 37 C.F.R. § 1.48 is/has separately: ☐ being filed ☐ been filed

DEFERRAL OF EXAMINATION

10. ☐ A request for deferral of examination accompanies this request for continued examination.


SIGNATURE OF PRACTITIONER

Reg. No.: 31,070

Karen E. Klumas
(type or print name of practitioner)

Tel. No.: (908) 522-7867

86 Morris Avenue
P.O. Address

Customer No.: 25688

Summit, New Jersey 07901



25688

PATENT TRADEMARK OFFICE